

## VIRGINIA IS NOT TO PARTICIPATE

Gov. Swanson Declines to Name Members of Race Commission.

## NO NEGRO PROBLEM IN STATE, HE SAYS

In Letter to Atlanta Minister Interested in Project to Have Governors of Southern States Name Such a Commission He Gives His Reasons.

Governor Claude A. Swanson yesterday declined to name delegates to a prospective conference or commission representing the Southern States, and to be created for the purpose of formulating a policy as to the future relations of the two races in the South. The contemplated commission is to be composed of three delegates from each of the eleven Southern States, to be named by the Governors and to meet at a time and place not yet determined.

The Governor announces his determination in a letter addressed to the Rev. John E. White, D. D., a distinguished Baptist minister of Atlanta, and accompanies the announcement with a rather full summary of the reasons for his decision.

Dr. White called on Governor Swanson about ten days ago and has since written to him several times relative to the project, of which the Atlanta minister and other prominent Southern men are the projectors, if not the originators. The purpose of the proposed commission, as outlined, is to ascertain the facts, examine into the conditions existing in the South with reference to the two races, and then to formulate and promulgate the conclusions reached. These would be in the nature of the policy to be pursued by the white men of the South toward the negro.

That no good would accrue from the work of such a commission is the primary reason for the Governor's determination. He declares that he can see in Virginia no occasion for such a commission, and emphasizes the fact that we have had no race riots and that the two races have been living in friendship, peace and prosperity, yet apart. He takes the trouble to summarize what the white people of Virginia have done for the negro in the matter of education.

The Governor cites the varied conditions in the eleven Southern States, and the wide variance of views of the people, whose local conditions differ widely, and argues as a reason to anticipate that no unanimous conclusions could be reached, and any other would be devoid of force and effect.

The answer is a ringing statement of the attitude of the white people of Virginia toward the negro, and is a letter is herewith given in full:

### The Governor's Letter.

Rev. John E. White, Atlanta, Ga.: My Dear Sir,—This is the first opportunity I have had to reply to your recent letter in regard to the advisability of creating a commission to be composed of three members from each of the Southern States, to be named by the Governor, which commission should be authorized to ascertain the facts, report upon the existing conditions between the two races in the South, and make a promulgation defining the future relations between the races and the policy of the South in regard to the negro.

Since the receipt of this letter and your recent conversation with me, in which you fully discussed the proposition, I have given the matter very thoughtful consideration, and have reached the conclusion that no commission, or any other body, could be created or work of such a commission. I can certainly see in Virginia no occasion for such a commission. The relations between the two races in this State are peaceful and friendly. No negro who is industrious, law-abiding and contributes to the welfare of his community can make complaint of the laws or the treatment of the Virginia negroes. We have had no race troubles or riots. All of the proposed problems for discussion and solution by the commission have already been determined by the General Assemblies of the Southern States. There has been a complete separation of the two races in schools, public places, street and railway cars, and other public conveyances. The suffrage question has been determined with justice and fairness, and we are content to be a subject of discussion or agitation.

All interferences between the two races are prohibited and severely punished by law. The negroes are not a problem in this State. With firmness and fairness Virginia has for the present settled the matter, and is now in an era of unexampled prosperity and progress. The State is making rapid advances in moral, educational and material directions. I apprehend that the appointment of the commission and its work, and a discussion of the negro question, would tend to reintroduce it in this State as a matter of discussion and agitation, which I would dislike very much to see. This would certainly not be conducive to the State's continued progress and prosperity; besides, the appointment of such a commission would be a confession that matters are very unsatisfactory in this State, and need marked amelioration. Such is not the case, and I would not consent for Virginia to be placed in this attitude.

### What Virginia Has Done.

The State of Virginia has dealt and continues to deal generously, fairly and justly with the negro. It has been estimated that since the Civil War Virginia has expended nearly \$17,000,000 for the education of negroes. With unsurpassed self-denial, the white people of Virginia, out of their own poverty, have endeavored to educate two races.

There can be no just cause for complaint against the white people of Virginia in their dealings with the negro.

(Continued on Eighth Page.)

## BOOK KEEPER IS 'ARRESTED ON MURDER CHARGE'

Was on Train with Dead Man's Wife When Sheriff Took Him.

KNOXVILLE, TENN., February 20.—As a sequel to the supposed accidental killing of Chalmers Vestal, the wealthy lumberman, at his residence, at Baxter, Putnam county Tenn., on the Tennessee Central Railroad, Sunday afternoon at 2 o'clock, W. S. Bryant, the book-keeper for Vestal, who witnessed the tragedy, was arrested in this city tonight aboard a train in company with Mrs. Vestal, the widow, charged with the murder, the prosecutor being Robert Vestal, a wealthy young lumberman of this city. The arrest was made by Sheriff Reeder and deputies, who were accompanied by James D. McCallum, Joseph H. Monday, and other friends of the Vestals, and City Attorney J. Wright Cotton, attorney for Vestal. Bryant was in the seat with Mrs. Vestal, and they were en route home to Baxter, following the funeral, held in this city this afternoon. He did not betray any excitement, and neither asked any further information.

Mrs. Vestal wanted to remain here with him, but Bryant asked Sam. Price, of Nashville, to accompany her home.

Bryant was taken before a magistrate and committed to jail without bond till Saturday.

At the jail he made a statement, denying the charge of murder, and relating his story told at the time, that Chalmers Vestal committed suicide, voluntarily or involuntarily. He said that the killing was done with his (Bryant's) pistol; that Vestal had the pistol in his own hands; had broken it, removed the cartridges and snapped it a couple of times; then turned it towards his own head and fired. Mrs. Vestal was in the room, and fled to the house of a neighbor.

## 13 IMPRISONED IN M'ADOO TUNNEL

Men Rescued After Suffering Intense Misery for Twelve Hours.

NEW YORK, February 20.—After being imprisoned for more than eight hours in a tiny circular chamber in the McAdoo tunnel, under North River, thirteen tunnel-workers were taken out today in a serious condition. Their experience had been a harrowing one, as, when the door of their subterranean cell jammed, they were powerless to aid themselves, and were compelled to listen for hours to the tapping of chisels and the clink of hammers wielded by those who sought to save them. All this time the men were under the intense air pressure, which is maintained in the lower levels of the tunnel, and it is feared that many, or all of them, may suffer from "bends," or caisson disease as a result of their long exposure. Ordinarily the men remain under the high air pressure only three and one-half hours. As the thirteen men just completed their regular tour and were preparing to leave the tunnel when caught, they were under pressure continuously for nearly twelve hours.

## MAYOR HAS NO RIGHT TO PREVENT PLAY

He Announces His Determination and Warns Against Any Disorder.

The Mayor will not interfere with the presentation at the Academy of Music to-morrow and Saturday of Thomas Dixon's stirring drama, "The Clansman." He announced this decision positively yesterday after having consulted with the producers, and as to his authority in the premises.

When a Times-Dispatch representative inquired of the Mayor yesterday as to his probable action, he made the following statement: "No trouble will arise. No negro who is law-abiding and contributes to the welfare of his community can make complaint of the laws or the treatment of the Virginia negroes. We have had no race troubles or riots. All of the proposed problems for discussion and solution by the commission have already been determined by the General Assemblies of the Southern States. There has been a complete separation of the two races in schools, public places, street and railway cars, and other public conveyances. The suffrage question has been determined with justice and fairness, and we are content to be a subject of discussion or agitation."

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## CAROLINEAN DIES AT RIPE AGE OF 114

Was Hale and Hearty—Smoked, Chewed and Drank Corn Whiskey.

CHARLOTTE, N. C., February 20.—Frederick M. Lee, the oldest of the famous "hunts and trappers," who in early civilization blazed a trail across the Blue Ridge Mountains, is dead at his home, in Hixwood county, at the age of one hundred and fourteen years.

Mr. Mearns was born August 12, 1792, in Lincoln county, and in early life, when Western Carolina was peopled by the Cherokees, he located in the mountains, twenty-one miles from what is now Weynesville. He was hale and vigorous up to within a few months of his death, frequently walking to Weynesville to attend the County Court, and once every year, on his birthday, swimming the Pigeon River, which runs by his mountain home. His age is established by authentic records. He used tobacco and the corn whiskey of the mountains in moderation all his life.

## REED SMOOT AT LAST WINS FIGHT

Is Retained in U. S. Senate by a Vote of 42 to 28.

## THREE DEMOCRATS VOTED FOR MORMAN

Immense Crowds Thronged Gallery and Listened to the Final Speeches—Senator Smoot Received Hearty Congratulations of His Friends Upon His Victory.

The resolution to unseat Senator Smoot was defeated by a vote of 28 yeas, 42 nays. Two-thirds of the Senate would have been required to adopt the resolution.

WASHINGTON, February 20.—The four-year contest against Reed Smoot being permitted to retain his seat as a Senator of the United States from Utah, was ended to-day by 42 of his colleagues voting to sustain him, as against 28 for the resolution to unseat him. Added to this there were eighteen Senators paired, making the actual standing on the resolution 55 yeas against it, and 37 for it. Senator Smoot himself did not vote, and Senator Wetmore was absent and not paired.

The Smoot resolution was called up soon after the Senate convened. Every seat in the galleries was filled, and during the actual voting the standing-room on the floor of the Senate was crowded by members of the House and employees of the Senate.

### Great Crowd Present.

Seldom has there been proceeding affecting the standing of a Senator that has attracted such marked attention. In the audience were representatives of a number of prominent women's organizations, which have been active in circulating and having presented petitions or remonstrance against Mr. Smoot. These women secured many thousands of signatures to their petitions, which were sent to the Senate in elaborately-bound volumes.

There have been numerous speeches made for and against Senator Smoot since the resolution to unseat him was reported from the Committee on Privileges and Elections. Just prior to the adjournment of Congress last year, today Senators Dubois, Hinesborough, Newlands and Burrows, the latter chairman of the committee, spoke against Mr. Smoot, while Senators Burton, D'Olliver, and Foraker spoke in his support.

The committee resolution was as follows: "Resolved, Two-thirds of the Senators present concurring therein, that Reed Smoot is not entitled to a seat as a Senator of the United States from the State of Utah."

Although it was a foregone conclusion that the resolution would fail, and thus end the long fight against the Utah Senator, the roll-call contained some surprises.

Of the forty-two votes in favor of Mr. Smoot, three were cast by Democrats. They were Messrs. Blackburn, Clark of Montana, and Daniel. Senator Tillier was paired in favor of Mr. Smoot. Of the twenty-eight votes against Mr. Smoot, nine were Republicans. They were Messrs. Burrows, Clapp, Dupont, Hale, Hinesborough, Hiram, Kittredge, LaFollette and Smith.

At the conclusion of the voting there was a rush of Republican Senators to the cloakroom to congratulate Mr. Smoot. A large number of members of the House followed, and there the senior Utah Senator was patted on the back and his hands were shaken in hearty fashion by the men, who expressed their admiration of his bearing in the long and trying ordeal through which he has passed. On the floor of the Senate and in the galleries it was many minutes before order could be restored.

## VETERANS ANGRY "PUSH" OF "SONS"

Say That the Young Men Are Taking All the Glory From the Men Who Fought.

NEW ORLEANS, LA., February 20.—"Are we so senile; are we so old that we cannot take care of ourselves? Must we let these young fellows push us to the background? Ever since the reunion of 1905 they have been slowly putting us in the rear, and now they decline to permit us to accompany them to Richmond."

This was the declaration of J. W. Gaines at a stormy meeting of Confederate Camp 2, Army of Tennessee, last night, in crying down the attempt of Sons of Veterans to charter a special train for the Richmond reunion and "permit" their fathers to accompany them.

The sentiment was approved by vote. The camp also refused to join their "It. E. Lee" association, on the ground that the veterans were displacing too much activity. It was held that "W. O. Hart, a son, claimed that Louisiana was the first to conceive a permanent association." "Hart copied the idea from the Richmond papers," cried Mr. Gaines.

## FRENCH CRUISER ASHORE SHIP A TOTAL LOSS

PARIS, February 20.—The Ministry of Marine has official advices confirming the dispatch from Las Palmas, Canary Islands, announcing that the French cruiser "Jean Bart" had gone ashore on a reef off the Barbary coast February 13th, and will be a total loss. The dispatch was from the commander of the "Jean Bart."

## WOULD STOP MARRIAGES OF WHITES WITH NEGROES

WASHINGTON, D. C., February 20.—A favorable report was made today by the House Committee on the District of Columbia on the bill introduced by Representative Byrd forbidding the marriage of a Caucasian with a negro or with a mongolian in the District of Columbia.

## DESPITE HER GIRLISH APPEARANCE, SHE BAFFLED THE DISTRICT ATTORNEY



EVELYN NESBIT THAW AS SHE FACED THE FIERY MR. JEROME. Mr. Jerome at last has begun his cross-examination of the girl wife of the man who killed Stanford White, and the indications in court yesterday were that the young woman's ordeal will be very severe. (N. Y. Herald.)

## SOLDIERS GUARD NEGRO PRISONERS

One Hundred Men Gathered On Amherst Courtgreen to Protect Steptoe and Hudson.

## GRAVE CHARGES AGAINST SOUTH

New England Tells Strange Tale of White Slavery In Cotton Mills.

## STROTHER TRIAL SET FOR TO-DAY

Brothers, Who Killed Bywaters, Husband of Their Sister, Say They Are Ready.

## YOUNG WIDOW STILL ILL

Her Physician Says She May Be Able to Appear Later In Trial.

## ATLANTIC COAST LINE TO PAY MORE

White Brakemen, It Is Said, Will Receive Large Increase.

## MILL-OWNERS DENY CHARGES

Say That the Women Have Perjured Themselves and That They Are Not Detained.

## SENATE PASSED RIVERS AND HARBORS APPROPRIATION

WASHINGTON, February 20.—The Senate to-night passed the river and harbor appropriation bill, carrying a total appropriation of \$92,730,972. All the committee amendments were agreed to.

## MRS. THAW IS SERENE AND UNPERTURBED

Withstood the Fire of Jerome and Beat Him at the Game.

## HER MEMORY IS CONVENIENT

Remembers Everything That Can Help Her Husband, But "Forgets" the Many Things That Will Prove Hurtful to His Case.

(By SAMUEL HOPKINS ADAMS.) NEW YORK, February 20.—Serene, unperturbed, mistress of herself at all stages, Evelyn Nesbit Thaw withstood five hours of District Attorney Jerome's raking cross-fire to-day, coming out with her defenses intact at every definite point.

In one respect only did she suffer. Her reputation for voracity succumbed early, and continued to succumb often. Even with the will to believe, it would be impossible for any rational being, hearing the testimony to-day to credit such superhumanly convenient forgetfulness as the girl-wife exhibited on subjects which must have been seared into any normal mind.

### Memory An Art.

Memory, as Evelyn Thaw controls it, is not a faculty. It is an art. More, it is a bulwark of defense, a buckler which, adroitly wielded, interposes an unflinching front to the weapons of the enemy. And it is in this sense transparent in its mendacity, it nevertheless unflinchingly serves its purpose in saving a graceful retreat from becoming a disastrous rout.

A singular sidelight was thrown upon her mind by her statement of absolute disbeliever during the early years of her career in the virtue of women. Stanford White's asseveration, she swore, she had taken for gospel. On his bare assertion, she had adopted the creed that all women were unchaste, and that the only difference lay in the superior cleverness of some, whereby they escaped discovery.

### Tripped But Once.

Not until she was more than eighteen years old, she asserted, did she know the difference between a flirt and a seducer. Harry Thaw's offer of marriage, and in saying this she entrapped herself to some degree, for Mr. Jerome demanded why she had refused Thaw on the ground of her own unworthiness, since, believing all women to be unchaste, she could hardly have considered herself worse than the rest. To this she found no sufficient answer.

As if taking pattern from his wife's staidness, Harry Thaw seemed less discomposed and nervous to-day than is usual with him. He listened for the most part calmly, occasionally nodding his head as some point was made, or thoughtfully stroking his forehead with a single finger.

## DELMAS TREATS MRS. THAW AS CHILD

Takes His Seat Near Her and Watches Over Her While In Jerome's Hands.

NEW YORK, February 20.—In continuing his cross-examination of Mrs. Evelyn Nesbit Thaw to-day at the trial of her husband, District Attorney Jerome brought out the fact that in 1902, Stanford White deposited the sum of \$1,350 with a New York trust company, with instructions that it should be paid to the Nesbit girl at the rate of \$25 a week. Mrs. Thaw frankly admitted receiving a number of checks from the trust company, but she would not admit that there was a provision that she should receive the money on "not remember."

The prosecutor spent nearly the entire afternoon in trying to make Mrs. Thaw admit that this was true, but as often and in as many ways as he put the question to her, she gave the one answer, "I don't remember."

Mrs. Thaw's inability to remember a number of other things about which Mr. Jerome questioned her was by far the most material element in the cross-examination. The District Attorney delved into the witness's past life with a familiarity as to details and a store of general knowledge which at times seemed to amaze all who heard, not excepting the defendant's counsel themselves.

Mr. Jerome indicated early in his questioning that he had no disposition to spare Mrs. Thaw's feelings in any way whatsoever. He interrogated her most pointedly as to her men acquaintances of the past. He laid special stress upon her relationship with James A. Garland, who figured for the first time in the case. Mrs. Thaw said she knew Garland before she met White.

### Under Hot Fire.

"Weren't you named as co-respondent in the Garland divorce case?" asked Mr. Jerome.

Mrs. Thaw was shaking her head when Mr. Jerome sprang to his feet with an objection. He demanded that the record of the divorce case be brought into court, that it might speak for itself. Justice Fitzgerald overruled the objection, but Mr. Jerome withdrew the question. Mr. Jerome questioned the witness about her manner of posing for artists, and brought from her a denial that she ever posed in the nude. Mr. Jerome was insistent for details on the subject. He did not mince words. Many photographs of Mrs. Thaw were introduced in evidence. Mr. Jerome, during the morning session, piled the young woman with questions as to what disposition she had made of the letters written to her by Stanford White. Some she said had been destroyed, and some she had given to her husband. In the midst of the dis-